

## Message Text

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51

ACTION AF-18

INFO OCT-01 ISO-00 OPIC-12 EB-11 L-03 COME-00 AID-20

TRSE-00 OMB-01 SS-20 NSC-07 CIAE-00 INR-10 NSAE-00

RSC-01 PRS-01 USIA-15 SP-03 DRC-01 /124 W

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P 081533Z APR 74

FM AMEMBASSY LAGOS

TO SECSTATE WASHDC PRIORITY 3467

LIMITED OFFICIAL USE LAGOS 2906

E.O. 11652: N/A

TAGS: EFIN, NI

SUBJECT: OPIC AGREEMENT

REF: STATE 69968

1. ON APRIL 8 I CALLED MINISTRY OF INDUSTRIES PERMANENT SECRETARY ALHIJI A. L. CIROMA IN AN EFFORT TO ARANGE A MEETING TO DISCUSS OPIC AGREEMENT. I EXPLAINED THAT I HAVE NOW BEEN AUTHORIZED TO SIGN BUT THAT FIRST I SHOULD LIKE TO DISCUSS WITH HIM THE CLARIFICATION OF AN ARTICLE OR TWO.

2. CIROMA REPLIED THAT THE FMG HAD AGREED SO LONG AGO THAT HE HAD ALMOST FORGOTTEN ABOUT OPIC. HOWEVER, HE IS QUITE WILLING TO DISCUSS THE MATTER AGAIN BUT NOT BEFORE APRIL 15, WHEN HE HOPES TO RETURN FROM IBADAN, WHERE HE WAS GOING IMMEDIATELY AFTER MY CALL.

HE WONDERED WHY WE SEEK "CLARIFICATION" SINCE IT WAS HIS UNDERSTANDING THAT ALL WAS "CLEAR." WHETHER MY PROPOSED DISCUSSION CONCERNED "CLARIFICATION" OR "INTERPRETATION," HE WOULD HAVE NO CHOICE EXCEPT TO REFER ANY QUESTION TO THE MINISTRY OF JUSTICE, THE ULTIMATE ARBITER.

3. WE AGREED TO MEET WHEN HE RETURNS TO LAGOS, WHICH IN ACCORDANCE WITH OUR EXPERIENCE MAY OR MAY NOT BE APRIL 15.

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DANCE WITH OUR EXPERIENCE MAY OR MAY NOT BE APRIL 15.

4. COMMENT: WHILE CIROMA IS ONE OF SEVERAL OFFICIALS WHO HAVE ALWAYS BEEN RELUCTANT TO ACCEPT OPIC WITH OR WITHOUT "CLARIFICATIONS." WE HAVE NO CHOICE EXCEPT AGAIN TO ENTER DISCUSSIONS WITH HIM, HIS SUBORDINATES BEING WITHOUT AUTHORITY AND HIS COMMISSIONER BEING UNINFORMED. HIS REFERENCE TO THE MINISTRY OF JUSTICE IS NOT SURPRISING BECAUSE NO ONE OFFICIAL WILL RELISH MAKING ANY FURTHER DECISIONS IN HIS OWN PERSON. JUSTICE, ON THE OTHER HAND, WILL BE ABLE TO ACT AS AN APPARITIONAL STAFF CLOAKING ITSELF INLEGALISMS TRACEABLE TO NO INDIVIDUAL. THUS, THE REACTIONS FORESEEN IN PAR. 2 OF REFTTEL ARE NOT LIKELY TO COME FROM CIROMA WHENEVER I SEE HIM, AND INSTEAD OF THE ENVISIONED OPTIONS WE MAY PERFORCE SIMPLY RECEIVE A JUSTICE RULING, THOUGH EVEN JUSTICE MAY CHOOSE TO TAKE ITS RULING TO THE FEC FOR A BINDING DECISION.

5. ACTUALLY THE TEXT OF THE AGREED MINUTE SEEMS REASONABLE ENOUGH TO ME, AND I SHALL SO ARUGE WITH JUSTICE COMMISSIONER GRAHAM-DOUGLAD AFTER I HAVE TALKED WITH CIROMA. WHETHER THE COMMISSIONER WILL TAKE A PERSONAL INTEREST REMAINS TO BE SEEN.  
REINHARDT

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INVESTMENT GUARANTEES, FINANCIAL AGREEMENTS, PRIVATE INVESTMENTS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 APR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Original Handling Restrictions:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** STATE 69968  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 03 SEP 2002  
**Review Event:**  
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**Subject:** OPIC AGREEMENT  
**TAGS:** EFIN, NI, US, OPIC  
**To:** STATE  
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